

LISTING OF THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently amended) ~~An automatic messaging client launcher embodied on a communication device with a memory for automatically launching a messaging client of an originating communication device calling a destination communication device, said automatic messaging client launcher system apparatus~~ comprising:

a communication device;

an availability detector, for detecting availability of said that detects availability of a destination device when a call is placed from said communication device to said destination device; and

a messaging initiator associated with said availability detector for launching said messaging client when said destination device is unavailable;

a messaging client that, when said availability detector indicates that said destination device is unavailable;

(a) obtains addressing information of said destination device;

(b) generates a message on said communication device; and

(c) sends said message via said communication device to said destination device in accordance with said addressing information, upon receipt of a command from a user of said communication device.

~~wherein the automatic messaging client launcher is implemented on the originating communication device.~~

2. (Currently amended) ~~The automatic messaging client launcher apparatus~~ according to claim 1, wherein said communication device comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, a smart telephone and a satellite telephone.

3. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according to claim 1, further comprising a messaging initiator, wherein said messaging initiator is operable to provide ~~destination device~~ said addressing information to said messaging client.

Claims 4. through 9. (Canceled)

10. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according to ~~claim 8~~ claim 1, wherein said messaging client is operable to provide said destination device-addressing information in a destination field of said message.

11. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according to ~~claim 7~~ claim 1, wherein, ~~upon launch~~, said messaging client is operable to display a message content input screen on said ~~originating~~ communication device.

12. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according to ~~claim 8~~ claim 1, wherein ~~a type of~~ said message comprises one of a group of message types comprising voice message, short message, enhanced message, and multimedia message.

13. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according to ~~claim 8~~ claim 1, wherein ~~a content of~~ said message has content that comprises one of a group comprising text, audio, video, still image, multimedia and voice.

14. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according to ~~claim 8~~ claim 1, wherein said message has a content ~~of said message that~~ comprises default message content.

15. (Canceled)

16. (Currently amended) The ~~automatic messaging client launcher~~ apparatus according

to claim 14, wherein said default message can be specified by a user of said originating communication device.

17. (Canceled)

18. (Currently amended) The ~~automatic messaging client launcher apparatus~~ according to claim 1, wherein said availability detector is operable to detect ~~unavailability of a~~ unavailability of said destination device when said destination device does not connect after a predetermined number of rings.

19. (Currently amended) The ~~automatic messaging client launcher apparatus~~ according to claim 1, wherein said availability detector is operable to detect ~~unavailability of a~~ unavailability of said destination device when a busy signal is received from said destination device.

20. (Currently amended) The ~~automatic messaging client launcher apparatus~~ according to claim 1, wherein said availability detector is operable to detect ~~unavailability of a~~ unavailability of said destination device when a connection is made to a voicemail box of said destination device.

21. (Canceled)

22. (Currently amended) ~~An automatic messaging client launcher~~ A system embodied within a communication system for automatically sending a message to an originating communication device calling a destination communication device, said automatic messaging client launcher system executable by a computer with a memory and further comprising:

an availability detector ~~for detecting availability of said~~ that detects unavailability of a destination device when a call is placed from an originating communication device to said destination device; and

a message sender associated with said availability detector for sending to said

originating communication device a message comprising an address of said destination device when said availability detector indicates unavailability of said destination device.

23. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 22, wherein said originating communication device comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone and a satellite telephone.

24. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 22, wherein said message sender is operable to format said message such that a reply to said message is addressed to said destination device.

25. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 24, wherein said message sender is operable to provide said address of said destination device in a reply field of said message.

26. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 22, wherein a type of said message comprises one of a group of message types comprising voice message, short message, enhanced message, and multimedia message.

27. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 22, wherein a content of said message comprises one of a group comprising text, audio, video, still image, multimedia and voice.

28. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 22, wherein said message comprises default message content.

29. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 28, wherein a user of said originating communication device can specify said

default message content.

30. (Currently amended) The ~~automatic messaging client launcher system~~ according to ~~claim 21~~claim 22, wherein ~~said automatic messaging client launcher~~the system is activated and deactivated by a user of said originating communication device.

31. (Currently amended) The ~~automatic messaging client launcher system~~ according to claim 22, wherein when said availability detector ~~detects that a~~detects that said destination device is ~~unavailable, said~~is unavailable, a messaging client is launched to ~~send a~~send said message to said originating communication device that appears to be sent from said unavailable destination device.

32. (Currently amended) A method ~~for automatically launching a messaging client on an originating communication device calling a destination communication device, said method comprises~~ executed by a communication device, comprising:

detecting availability of said~~availability of a~~ destination device when a call is placed from said communication device to said destination device; and

~~if said destination device is unavailable, then: launching a messaging client of said originating communication device; and~~

(a) providing destination device obtaining addressing information of said destination device to said messaging client;

(b) generating a message on said communication device; and

(c) sending said message to said destination device in accordance with said addressing information, upon receipt of a command from a user of said communication device.

33. (Currently amended) The method ~~for automatically launching a messaging client~~ according to claim 32, wherein said ~~originating communication device~~ comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone and a satellite telephone.

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Currently amended) The method ~~for automatically launching a messaging client~~ according to ~~claim 34~~claim 32, further comprising selecting the message content from one of a group comprising text, audio, video, still image, multimedia and voice.

38. (Currently amended) The method ~~for automatically launching a messaging client~~ according to ~~claim 34~~claim 32, the method further comprises generating a default message.

39. (Canceled)

40. (Currently amended) The method ~~for automatically launching a messaging client~~ according to claim 32, wherein the method further comprises opening on said ~~originating communication~~ device an input screen for user input of message content.

41. (Currently amended) The method ~~for automatically launching a messaging client~~ according to claim 40, wherein the method further comprises prompting a user to input said message content.

42. (Currently amended) The method ~~for automatically launching a messaging client~~ according to ~~claim 34~~claim 32, wherein a type of said message comprises one of a group of message types comprising voice message, short message, enhanced message, and multimedia message.

43. (Currently amended) The method ~~for automatically launching a messaging client~~

according to claim 32, wherein destination device unavailability is detected when said destination device does not connect after a predetermined number of rings.

44. (Currently amended) The method ~~for automatically launching a messaging client~~ according to claim 32, wherein destination device unavailability is detected when a busy signal is received from said destination device.

45. (Currently amended) The method ~~for automatically launching a messaging client~~ according to claim 32, wherein destination device unavailability is detected when a connection is made to a voicemail box of said destination device.

46. (Currently amended) A method for automatically sending a message to an originating communication device calling a destination device, by:

detecting availability of said destination device; and

if said destination device in device is unavailable, then sending to said originating communication device a message comprising ~~destination device~~ addressing information of said destination device.

47. (Original) The method for automatically sending a message according to claim 46, wherein said originating communication device comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone and a satellite telephone.

48. (Original) The method for automatically sending a message according to claim 46, wherein said message is formatted such that a reply to said message is addressed to said destination device.

49. (Original) The method for automatically sending a message according to claim 46, wherein said message comprises a default message.

50. (Original) The method for automatically sending a message according to claim 46, wherein a type of said message comprises one of a group of message types comprising voice message, short message, enhanced message, and multimedia message.

51. (Currently amended) A method for automatically launching a messaging client on an originating communication device calling a destination communication device, ~~where~~ wherein the method comprises:

detecting availability of said destination device; and if said destination device is unavailable, then:

generating a trigger signal;

launching said messaging client of said originating communication device in response to said trigger signal; and

using said trigger signal to provide ~~destination device~~-addressing information of said destination device to said messaging client.

52. (Original) The method for automatically launching a messaging client according to claim 51, wherein said originating communication device comprises one of a group of communications devices comprising a telephony device, a mobile communication device, a cellular telephone, an internet protocol (IP) telephone, smart telephone and a satellite telephone.